

ENTERED

April 05, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GEORGE O. SALAK,

Plaintiff,

VS.

PHH MORTGAGE CORPORATION,

Defendant.

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CIVIL ACTION NO. 4:22-CV-00415

ORDER

Pending before the Court is the Motion to Dismiss filed by Defendant PHH Mortgage Corporation (“PHH”). ECF No. 5. PHH filed its Motion to Dismiss on February 25, 2022. The submission day for Plaintiff’s response was therefore March 18, 2022. But Plaintiff never filed a response. Local Rule 7.4 makes clear that responses must be filed by the submission day, and that “[f]ailure to respond to a motion will be taken as a representation of no opposition.” Local Rule 7.4. Plaintiff confirmed as such in an e-mail to the Court. *See* E-mail from Joshua D. Gordon, Counsel for Plaintiff, to Arturo Rivera (Apr. 5, 2022, 11:52 CST) (“Plaintiff is not filing a response to the motion to dismiss. I believe the motion is considered unopposed under Local Rule 7.4.”). In addition, the Court has considered the Motion and has determined that it bears merit. Accordingly, the Court **GRANTS** PHH’s Motion to Dismiss.

It is therefore **ORDERED** that Plaintiff’s claims are hereby **DISMISSED WITH PREJUDICE**, as requested in PHH’s Motion.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this 5th day of April, 2022.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE